

## **REMARKS**

In the Office Action dated January 30, 2006, claims 1-56 were presented for examination. Claim 5 was objected to because of a number agreement informality. Claim 1 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Claims 1-16, 18, 21, 23-35, 37, 40, 42-47, 49, and 51-55 were rejected under 35 U.S.C. §102(e) as being anticipated by *Johnson et al*, U.S. Patent No. 6,067,525. Claims 19-20 and 38-39 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Johnson et al*, U.S. Patent No. 6,067,525. Claims 17, 22, 36, 41, and 48 were rejected under 35 U.S.C. §103(a) over *Johnson et al*, U.S. Patent No. 6,067,525 in view of *Raffel et al.*, U.S. Patent Publication No. 2002/0082892. Claims 50 and 56 were rejected under 35 U.S.C. §103(a) over *Johnson et al*, U.S. Patent No. 6,067,525 in view of *Srinivasan*, U.S. Patent No. 5,548,506.

The following remarks are provided in support of the pending claims and responsive to the Office Action of January 30, 2006 for the pending application.

### **I. Objection to Claim 5 for number agreement informality**

In the Office Action dated January 30, 2006, the Examiner assigned to the application objected to claim 5 for having a number agreement informality. More specifically, the Examiner alleged that claim 5 recites “a workflow parameters” and that the article “a” does not agree with the term “parameters.” Applicants have removed the term “parameters” from claim 5 and replaced this term with “parameter.” Accordingly, in view of the amendment to claim 5 submitted herewith, Applicants respectfully requests that the Examiner remove the objection to claim 5 for number agreement informality.

### **II. Rejection of Claim 1 under 35 U.S.C. §112, second paragraph**

In the Office Action dated January 30, 2006, the Examiner assigned to the application rejected claim 1 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to

particularly point out and distinctly claim the subject matter which Applicants regard as the invention. More specifically, the Examiner has alleged that the term “said workflow” in claim 1 lacks sufficient antecedent basis. Applicants have removed this term from the claims, and replaced this term with the term “a workflow.” Accordingly, in view of the amendment to claim 1 submitted herewith, Applicants respectfully requests that the Examiner remove the rejection of claim 1 under 35 U.S.C. §112, second paragraph.

### **III. Rejection of claims 1-16, 18, 21, 23-35, 37, 40, 42-47, 49, and 51-55 under 35 U.S.C. §102(e)**

In the Office Action dated January 30, 2006, the Examiner assigned to the application rejected claims 1-16, 18, 21, 23-35, 37, 40, 42-47, 49, and 51-55 under 35 U.S.C. §102(e) as being anticipated by *Johnson et al.* As noted by the Examiner, *Johnson et al.* recites a marketing method creating a record database with a workflow parameter for the record to manage the record within the workflow parameter wherein the record is acted upon in the workflow parameter within a station based upon the station's parameters. However, *Johnson et al.* does not recite a method for assigning a record into an initial station based upon the marketing opportunity of the record and the parameters of the station. Furthermore, *Johnson et al.* fails to teach that the record may be evaluated within the parameters of the station or moved to a different station if the record presents a different marketing opportunity.

Applicants' invention resolves the problem of approaching multiple marketing opportunities with one record. More specifically, Applicants' invention assigns a record into an initial station based upon the definition of the initial station and the source from which the record was entered into the workflow. In one embodiment, the initial station for records entered from changed sources may be changed. Thereafter, the record is acted upon through changed marketing tasks, wherein these tasks are based on the parameters of the initial station. This limitation is reflected in the amendments to claims 1, 23, 42, and 51 and is incorporated by reference into claims 2-16, 18, 21, 24-35, 37, 40, 43-47, 49, and 52-55. Following the marketing task of the initial station, the record may be moved to a next station based upon the reaction of

the record to the marketing opportunity of the initial station and the next station. This limitation is reflected in the amendments to claim 42 and is incorporated by reference into claims 43-47 and 49. Accordingly, Applicants' invention is more efficient, effective, and expansive than the prior art, by customizing entry of each record into the workflow.

There is no teaching in *Johnson et al.* for assigning a record into an initial station based upon the source of the record and definition of the station and the marketing opportunity of the station. Additionally, *Johnson et al.* does not teach that a record may be moved to a next station based upon the marketing opportunities of the initial station and the next station. In order for the claimed invention to be anticipated under 35 U.S.C. §102(e), the prior art must teach all claimed limitations presented by the claimed invention. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP §2131 (citing *Verdegaal Bros. v. Union Oil Co. of California*, 814 F. 2d 628, 631, 2 U.S.P.Q. 2d 1051, 1053 (Fed. Cir. 1987)). As mentioned above, *Johnson et al.* does not show all of the elements as claimed by Applicants in pending amended claims 1, 23, 42, and 51. Accordingly, in view of the amendments to claims 1, 23, 42, and 51 submitted herewith, Applicants respectfully request that the Examiner remove the rejection of claims 1-16, 18, 21, 23-35, 37, 40, 42-47, 49, and 51-55 under 35 U.S.C. §102(e).

### **III. Rejection of claims 19-20 and 38-39 under 35 U.S.C. §103(a)**

In the Office Action dated January 30, 2006, the Examiner assigned to the application rejected claims 19-20 and 38-39 under 35 U.S.C. §103(a) as being unpatentable over *Johnson et al.*

The comments pertaining to *Johnson et al.* above are hereby incorporated by reference.

Claims 19-20 and 38-39 pertain to removing a user from workflow privileges. At such time as a user may be removed, the records in the workflow assigned to that user must be reassigned to an alternate user with access to the workflow so that the affected records are not

neglected. There is no teaching in *Johnson et al.* for reassigning one or more records in the workflow based upon the status of the user as opposed to the status of the record as reflected by the marketing activity(s) to which the record has been subject. In order for the claimed invention to be unpatentable under 35 U.S.C. §103(a), the prior art must teach all claimed limitations presented by the claimed invention. MPEP 2143.03 (citing *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)). As mentioned above, *Johnson et al.* does not show all of the elements as claimed by Applicants in pending claims 19-20 and 38-39. Although the Examiner suggests that it may be well known in the art to “allow the administrator by the administration subsystem to remove a user from the system and therefore, the tasks associated with that user must be redistributed,” the Examiner has not provided any evidence demonstrating such knowledge in the art. Accordingly, the prior existence of all of the claimed elements of claims 19-20 and 38-39 have yet to be shown.

Furthermore, *Johnson et al.* does not teach all of the claim limitations of independent claims 1 and 23, from which claims 19-20 and 38-39 are respectively dependent. Because *Johnson et al.* does not teach all of the elements of independent claims 1 and 23, it, therefore, does not teach of the elements of claims 19-20 and 38-39. Accordingly, Applicants respectfully request that the Examiner remove the rejection of claims 19-20 and 38-39 under 35 U.S.C. §103(a).

#### **IV. Rejection of claims 17, 22, 36, 41 and 48 under 35 U.S.C. §103(a)**

In the Office Action dated January 30, 2006, the Examiner assigned to the application rejected claims 17, 22, 36, 41 and 48 under 35 U.S.C. §103(a) as being unpatentable over *Johnson et al.* in view of *Raffel et al.*

The comments pertaining to *Johnson et al.* above are hereby incorporated by reference.

As noted by the Examiner, *Raffel et al.* recites a method of determining if a duplicate record exists and teaches a method of eliminating the duplicate record. However, neither

*Johnson et al.* nor *Raffel et al.* recites a method of assigning a record into an initial station based upon the marketing opportunity of the record and the parameters of the station. Furthermore, neither *Johnson et al.* nor *Raffel et al.* teaches that the record may be evaluated within the parameters of the station or moved to a different station if the record presents a different marketing opportunity.

As noted above, Applicants' invention resolves the problem of approaching multiple marketing opportunities with one record. More specifically, Applicants' invention assigns a record into an initial station based upon the definition of the initial station, and the record is acted upon based on the parameter of the initial station. This limitation is reflected in the amendments to claims 1, 23, and 42 and is incorporated by reference into claims 17, 22, 36, 41 and 48. Furthermore, the record may be moved to a next station based upon the reaction of the record to the marketing opportunity of the initial station and the marketing actions defined by a next station. This limitation is reflected in the amendments to claim 42 and is incorporated by reference into claim 48. Accordingly, Applicants' invention is more efficient, effective, and expansive than the prior art.

There is no teaching in either *Johnson et al.* or *Raffel et al.* for assigning a record into an initial station based upon the definition of the station and the marketing opportunity of the station. Additionally, neither *Johnson et al.* nor *Raffel et al.* teaches that a record may be moved to a next station based upon the marketing opportunity of the initial station and the next station. In order for the claimed invention to be unpatentable under 35 U.S.C. §103(a), the prior art must teach all claimed limitations presented by the claimed invention. MPEP 2143.03 (citing *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)). "If an independent claim is nonobvious under 35 U.S.C. §103(a), then any claim depending therefrom is nonobvious." MPEP 2143.03 (citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)). As mentioned above, neither *Johnson et al.* nor *Raffel et al.* teaches all of the elements as claimed by Applicants in amended, independent claims 1, 23 and 42. Claims 17 and 22 are dependent upon claim 1, claims 36 and 41 are dependent upon claim 23, and claim 48 is dependent upon claim 42.

Accordingly, neither *Johnson et al.* nor *Raffel et al.* teaches all of the elements of claims 17, 22, 36, 41 and 48 and Applicants respectfully request that the Examiner remove the rejection of claims 17, 22, 36, 41 and 48 under 35 U.S.C. §103(a).

**V. Rejection of claims 50 and 56 under 35 U.S.C. §103(a)**

In the Office Action dated January 30, 2006, the Examiner assigned to the application rejected claims 50 and 56 under 35 U.S.C. §103(a) as being unpatentable over *Johnson et al.* in view of *Srinivasan*, U.S. Patent No. 5,548,506.

The comments pertaining to *Johnson et al.* above are hereby incorporated by reference.

As noted by the Examiner, *Srinivasan* recites a method sending task reminders to a user when a task is nearing its scheduled deadline. However, neither *Johnson et al.* nor *Srinivasan* recite a method of assigning a record into an initial station based upon the marketing opportunity of the record and the workflow parameters of the station. Furthermore, neither *Johnson et al.* nor *Srinivasan* teach that the record may be evaluated within the parameters of the station or moved to a different station if the record presents a different marketing opportunity.

Applicants' invention resolves the problem of approaching multiple marketing opportunities with one record. More specifically, Applicants' invention assigns a record into an initial station based upon the definition of the initial station, and the record is acted upon based on the parameters of the initial station. This limitation is reflected in the amendments to claims 42 and 51 and is incorporated by reference into claims 50 and 56. Furthermore, the record may be moved to a next station based upon the marketing opportunity of the initial station and the next station. This limitation is reflected in the amendments to claim 42 and is incorporated by reference into claim 50. Accordingly, Applicants' invention is more efficient, effective, and expansive than the prior art.

There is no teaching in either *Johnson et al.* or *Srinivasan* for assigning a record into an

initial station based upon the definition of the station and the marketing opportunity of the station. Additionally, neither *Johnson et al.* nor *Srinivasan* teaches that a record may be moved to a next station based upon the marketing opportunity of the initial station and the next station. In order for the claimed invention to be unpatentable under 35 U.S.C. §103(a), the prior art must teach all claimed limitations presented by the claimed invention. MPEP 2143.03 (citing *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)). “If an independent claim is nonobvious under 35 U.S.C. §103(a), then any claim depending therefrom is nonobvious.” MPEP 2143.03 (citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)). As mentioned above, neither *Johnson et al.* nor *Srinivasan* teaches all of the elements as claimed by Applicants in pending, amended, independent claims 42 and 51. Claim 50 is dependent upon claim 42 and claim 56 is dependent upon claim 51. Accordingly, neither *Johnson et al.* nor *Srinivasan* teaches all of the elements of claims 50 and 56 and Applicants respectfully request that the Examiner remove the rejection of claims 17, 22, 36, 41 and 48 under 35 U.S.C. §103(a).

For the reasons outlined above, withdrawal of the rejection of record and an allowance of this application are respectfully requested.

Respectfully submitted,

By: /Rochelle Lieberman /  
Registration No. 39,276  
Attorney for Applicants

Lieberman & Brandsdorfer, LLC  
802 Still Creek Lane  
Gaithersburg, MD 20878-3218  
Phone: (301) 948-7775  
Fax: (301) 948-7774  
Email: [rocky@legalplanner.com](mailto:rocky@legalplanner.com)

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